

AGENDA



Thursday, November 19, 2009

Contract and Land Management
RECOMMENDATION FOR COUNCIL ACTION

Item No. 14

Subject: Authorize negotiation and execution of a Design-Build Agreement with WHITE CONSTRUCTION COMPANY, Austin, TX, for the new Municipal Court and Austin Police Department Northeast Area Command Substation with funding for Preliminary Phase and Design Phase Services in an amount not to exceed \$2,000,000.

Amount and Source of Funding: Funding in the amount of \$1,400,000 is available in the Fiscal Year 2009-2010 Capital Budget of the Municipal Court. Funding in the amount of \$600,000 is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Police Department.

Fiscal Note: A fiscal note is attached.

For More Information: David Smythe-Macaulay 974-7152; Debra Dibble 974-7027; April Thedford 974-7141

Purchasing Language: Best Value to the City of Austin of eighteen (18) qualification statements received.

MBE/WBE: This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 36.90% MBE and 18.50% WBE subconsultant participation.

Prior Council Action: November 29, 2007 - Council authorized the use of the Design-Build Alternative Project Delivery Method.

The Design-Build Agreement will consist of redesign and reconstruction of existing building structures and related site infrastructure improvements for the new Municipal Court (MC) and Austin Police Department (APD) Northeast Area Command Substation for a fixed project budget of \$18,000,000. Staff is requesting Council authorization for design phase services for this project, which include schematic design, design development, construction documentation, constructability reviews, value engineering analysis, cost estimating, schedule evaluation, development of a safety program and quality assurance plan, site security and environmental controls, permitting, and Minority and Women Owned Business Enterprise (MBE/WBE) subcontractor outreach.

When design is sufficiently complete, staff will request Council authority to enter into a Guaranteed Maximum Price for the construction phase services which include on-site management, superintendence, administration, procuring bonds and insurance, temporary utility and sanitary services, procurement of subcontractors, building construction, site work, and coordinating work of other owner contractors. Other services include project reporting, partnering and other duties and responsibilities as set out in the Design Criteria Manual, Agreement and General Conditions of the Contract.

In compliance with Local Government Code Chapter 271, Sub Chapter H, Sec. 271.119, Council's authorization of this request allows for negotiation and execution of a design-build contract with the highest ranked firm that offers the best value to the City of Austin, based upon the evaluation criteria advertised. Should the City be unsuccessful in negotiating a satisfactory agreement for Design Phase Services with the selected firm, said firm will be notified in writing that negotiations will cease. Pursuant to

statute, staff will then proceed to negotiate with the next firm in the order of selection ranking returning to Council prior to contract execution.

Additionally, when design development phase is sufficiently complete and agreed-upon work packages for construction phase services have been sufficiently developed, staff will return to Council with recommended contract amendment(s) for construction phase services.

Notification of issuance of a Request for Qualifications (RFQ) for the subject services was sent to 188 firms on June 26, 2009. The RFQ was obtained by 101 firms, and eighteen firms submitted qualification statements. None of the firms were certified MBE/WBE firms. Of the firms evaluated, three firms were short-listed and interviewed. Interviewing of the short-listed firms resulted in the following ranking:

TOP RANKED FIRM: WHITE CONSTRUCTION COMPANY; SECOND RANKED FIRM: ROGERS-O'BRIEN CONSTRUCTION COMPANY, LTD.